

REMARKS

Claims 1-31 are currently pending in the application. Claims 30 and 31 have been withdrawn from consideration.

Claims 19-25, 28 and 29 stand objected to as being dependent upon a rejected base claim. Claims 19, 20, 28 and 29 have been rewritten in independent form. Claims 21, 22, 23, 24 and 25 each depend cognately from allowable claim 20.

Claims 1-5, 7-15, 17 and 18 stand rejected under 35 USC §102 as allegedly anticipated by U.S. patent No. 5,938,544 (Winskowicz '544). Claims 1, 6, 10 and 16 stand rejected under 35 USC §102 allegedly anticipated by U.S. Patent No. 6,358,160 (Winskowicz '160). Claims 26 and 27 stand rejected under 35 USC §102 as allegedly anticipated by U.S. Patent No. 5,447,314, to Yamazaki et al (Yamazaki).

Reconsideration of the rejection of claims 1-18, 26 and 27 is requested.

Applicant's undersigned attorney wishes to thank Examiner Gorden for the courtesies extended him at the interview on November 4, 2003. During the interview, the undersigned discussed with the Examiner the significance of the claimed subject matter. As explained, the goal of the invention is to allow golf balls to be used during the course of play in wet conditions without appreciable deterioration due to the potentially constant exposure to water. A delayed degradation is incorporated into the golf balls so that after being immersed in water for a period on the order of no less than 2-3 days, there will be an appreciable change in the characteristics of the golf ball. The time period in which the degradation occurs is selected so as to be less than the anticipated recovery time for golf balls immersed in water on golf courses. As noted in the applicant's specification at page 10, the upper limit at which appreciable degradation due to immersion in water would occur may be on the order of 180 days. This time period takes into consideration the fact that

a normal golf season may extend for greater than six months. By delaying the degradation to a period of 180 days, it is anticipated that the balls struck into water early in a season will have been effectively destroyed before they are recovered at season's end for re-sale. In anticipation of there being more frequent recovery of golf balls at some courses, the period at which the degradation begins may be reduced to 120 days, 30 days, 7 days, or even soon after 2-3 days, as noted on page 10 of the Applicant's specification.

The nature of the change in characteristics of a golf ball is such that the manner in which the ball will perform during a round of golf will be changed appreciably after immersion for the period at which degradation occurs. It was noted during the interview that Winskowicz '544 and Winskowicz '160 relate to the change in color of a golf ball in response to immersion. However, the change in color, as described in these two patents, does not change the performance characteristics of the golf ball. The Examiner suggested the addition of the word "external" to claim 1 to clarify the structure.

During the interview, prior art was brought to the attention of to the Examiner which relates to golf balls that instantaneously begin to degrade and apparently completely dissolve over a predetermined time span. These golf balls are described to be practical for single hits into a body of water, such as from cruise ships. However, it would not be practical to use this golf ball construction for a regular round of golf. In the event that the player used the golf ball in rainy conditions, or momentarily hit the golf ball into a body of water, the degradation process would potentially immediately affect the performance characteristics of the golf ball.

Claim 1, as presented herein, was discussed during the interview. The Examiner indicated that this claim may be allowable over the prior art of record.

Claims 2-9 each depend from claim 1 and recite further structural detail to further distinguish over the prior art.

Claim 10 also recites a material that changes states upon being immersed in water continuously for a period of between 2 and 180 days.

Claims 11-18 depend cognately from claim 10 and recite further structural detail to further distinguish over the art.

Claim 26 has been amended to recite a material filling at least a part of the at least one capillary.

Yamazaki teaches, and requires, capillaries extending fully from the outside of the golf ball to a sound generator. Thus, the filling of any part of the capillaries in Yamazaki would defeat the purpose of Yamazaki's structure by insulating the user from sound that is generated from the core of the golf ball.

Claim 27 depends from claim 26 and recites further significant structural detail to further distinguish over the cited art.

Reconsideration of the rejection of claims 1-18, 26 and 27, and allowance of the case are requested.

Respectfully submitted,

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